IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.13003 of 2006

Dated: July 28, 2006

Between:

Maddi Sunitha, W/o. Srinivasulu, aged about 30 years, Cooking Agent, J.V. Aided Elementary School, Swarna village, Karamchedu Mandal, Prakasam District.

… Petitioner

And

The Mandal Revenue Officer, Karamchedu Mandal, Prakasam District, and another.

… Respondents

Order:

The petitioner, who was appointed as cooking agent to operate the Midday Meals Scheme in Swarna village, Prakasam District, has filed this writ petition questioning the proceedings dated 04-06-2006, issued by the first respondent, removing her and appointing the second respondent in her place as cooking agent.

2. The facts of the case, in brief, are that the petitioner was

appointed as cooking agent in J.V. Aided Elementary School, Swarna village, Karamchedu Mandal, Prakasam District in January 2003, by the first respondent and since then she has been preparing food and serving the same to the students of the said school. The case of the petitioner is that the first respondent, the Mandal Revenue Officer, Karamchedu Mandal, by proceedings dated 04-06-2006, terminated her alleging that she was not cooking the food tastily and in time. Thereafter, the second respondent has been appointed in the place of the petitioner.

3. The grievance of the petitioner is that the Mandal Revenue Officer, who is the implementing agency of the Midday Meals Scheme at the Mandal level, has not issued any notice to her before passing the impugned order.

4. When the matter has come up on the earlier occasion, the learned counsel for the petitioner was directed to produce a copy of the order of appointment of the petitioner as cooking agent. However, it is stated that no such order is available.

5. In the impugned order, it is stated that the petitioner was not cooking the food tastily and in time. Hence, the first respondent terminated the petitioner and appointed the second respondent in her place. It is to be seen, the primary object of the Midday Meals Scheme is to provide the school going children with nutritious and hot cooked food. The persons who are appointed as agents to prepare food to the children must ensure that the children are served nutritious food in time. Merely because the petitioner has once been appointed as cooking agent, she has no right to seek continuance. If the petitioner has any grievance, she can approach the Joint Collector, who is the authority monitoring the process of implementation of the Midday

Meals Scheme in the entire district, as per the rules framed by the Government in G.O.Ms.No.94 dated 25-11-2002.

6. In the circumstances, I dispose of the writ petition permitting the petitioner to make a representation to the Joint Collector, against the impugned order, within two weeks from today. On such representation being made, the Joint Collector shall consider the same and pass appropriate orders within a period of six weeks thereafter.

7. The writ petition is disposed of with the above directions. There shall be no order as to costs.

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JUSTICE R. SUBHASH REDDY.

July 28, 2006
MRR